



**MINUTES OF THE PUBLIC HEARING  
OF MONDAY, AUGUST 17, 2020  
AT 200 HIGHLANDS BOULEVARD DRIVE  
BY VIDEO CONFERENCING ON ZOOM AND ALSO OPEN FOR  
THE PUBLIC AT 200 HIGHLANDS BOULEVARD DRIVE  
REGARDING TEXT AMENDMENTS TO SECTIONS OF ARTICLES II AND V  
OF CHAPTER 405 ZONING REGULATIONS**

Mayor Mike Clement called the Public Hearing of the Board of Aldermen to order at 7:00 p.m.

Roll call showed those present were Alderman Huether, Alderman Nolte, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Toben, and Mayor Clement. A quorum was present.

The following notice of the public hearing was then read:

"CASE #20-TXT-005 – City Staff proposes the attached Text Amendments to sections of Articles II and V of Chapter 405 Zoning Regulations, pertaining to the sale of tobacco products, electronic smoking devices and associated definitions. The public hearing will be held at 7:00 p.m. on Monday, August 17, 2020 at Manchester Justice Center, 200 Highlands Boulevard Drive, Manchester, MO 63011."

Mayor Clement advised that first the proponents would speak, then the opponents, and the comments from the public, followed by questions from the members of the Board of Aldermen or the City Staff.

Director of Planning, Zoning, and Economic Development Melanie Rippetoe spoke as a proponent, stating these text amendments are to help address underage people from buying tobacco products along with regulating where a new store could be located that would want to sell tobacco products. She stated many municipalities are going through the same process currently.

Alderman Toben wanted to make sure this is just for incoming businesses that choose to sell tobacco products. Director Rippetoe stated that is correct.

Alderman Toben asked about tobacco sales happening around Goddard School. Director Rippetoe stated that they are a daycare facility. This text amendment pertains to elementary, secondary, and high schools.

Alderman Toben asked if this proposal comes from other municipalities or coming down from the State. Director Rippetoe answered that St. Louis County established spacing requirements. Director Rippetoe added that other municipalities do better addressing kids buying tobacco products.

Alderman Baumann stated if we do annex, would businesses that are within spacing requirement be grandfathered in. Director Rippetoe answered it would not affect any existing businesses and only be for new businesses going through the occupancy permit application.

There were no opponents, comments from the public or questions from the Board of Aldermen.

Alderman Hamill stated the Planning and Zoning Commission gave a favorable recommendation to the Board of Aldermen.

Mayor Clement closed the public hearing at 7:05 p.m.

Respectfully Submitted,

Michelle Melugin  
Deputy Clerk

**Note:** This is a journal of the Public Hearing from August 17, 2020, (summary); not a verbatim transcript regarding text amendments to sections of articles II and V of chapter 405 zoning regulations regarding a Site Plan to construct an addition on an existing commercial building to be located at 14386 Manchester Road. If a recording of the public hearing is desired, please contact City Hall.



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING  
OF MONDAY, AUGUST 17, 2020  
VIDEO STREAMED AND ALSO OPENED  
TO THE PUBLIC AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor Mike Clement called the Regular Board of Aldermen meeting to order at 7:06 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Huether, Alderman Nolte, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Toben, and Mayor Clement. A quorum was present.

3. APPROVAL OF THE MINUTES

a. Minutes of the Monday, August 3, 2020 Regular Board of Aldermen Meeting

Alderman Baumann made the motion to approve the Minutes of the Monday, August 3, 2020 Regular Board of Aldermen Meeting. The motion was seconded by Alderman Ottenad and carried unanimously with no objections from members of the Board of Aldermen.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Ottenad made the motion to approve the Order of Items on the Agenda, as submitted. The motion was seconded by Alderman Baumann and carried unanimously with no objections from any members of the Board of Aldermen.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. New Liquor License Application

City Clerk Justin Klocke stated a new liquor license has been requested for Rozanna Mediterranean Restaurant. They have requested a liquor license for the sale of intoxicating liquor and beer by the drink in a restaurant bar for consumption on the premises, including Sundays.

Alderman Hamill made the motion to approve the new liquor license for Rozanna Mediterranean Restaurant. The motion was seconded by Alderman Ottenad and carried unanimously with no objections from any members of the Board of Aldermen.

b. Comments from the Public

Mr. Wayne Hartman, 415 Cardiff Lane, stated he received a message from Chief of Police Scott Will and wanted to thank him for the phone call he inquired about at the August 3 Board of Aldermen meeting. He also inquired if Chief Scott has found out why it took 10 minutes for a call to be dispatched.

Chief Will answered that they investigated the call and the officers were dispatched, and they flooded the area with 3 cars and a supervisor, but they found out later that the Ballwin Dispatcher held the call for 10 minutes. They are not sure why the dispatcher held the call. Chief Will stated that he has reached out to the Ballwin Lieutenant who runs their dispatch to find out why that happened. They have not heard back from the Lieutenant as of the meeting tonight.

Mr. Hartmann stated he just spoke with Representative Trish Gunby about the sales taxes that are not collected on vehicles that are purchased. He said the State of Illinois gets their sales tax right away. He sees lots of vehicles that never received their plates, that means everyone is losing money on those taxes. He wondered what the City's stance is on it.

Chief of Police Will stated that they would receive a ticket for driving with no plates, after 6 months of not getting plates it is considered driving with no plates.

City Clerk Justin Klocke read the public comments he received.

My name is Shauna McCaig and I am a resident of Manchester, MO. I have many concerns about my street Windingpath Lane and Wild Walnut Lane in Manchester off of Hanna Road. I have written to request information and have been told that a decision will be made soon by the Chief of Police. I am expressing my concerns to the Board of Aldermen and the Mayor as follows. Please read my letter prior to making any decisions on new policies to be added to the code as the current code does not cover my concerns.

I am concerned that there may be a violation of the following code, section 355.170 Physically Disabled Parking.

I cannot confirm nor deny, but I have been told that one person who drives is handicapped living in the home on the corner of Wildwalnut and Windingpath right off of Hanna Road. I believe it is the younger lady who lives there. However, I have observed numerous times, the middle-aged woman living on the Corner of Wildwalnut and Windingpath move a car into the spot marked with handicapped signs. The younger female who lives there has not been present in the vehicle as this is occurring. The middle-aged female is in the car alone, places the handicapped placard in the window, and walks out of the car after parking it in a handicapped spot. I can see this because I have a huge picture window to look out while I am watching television or relaxing in my chair and my eyes go directly to the vehicles parked on the corner of Windingpath and WildWalnut. I am not trying to see this. I am just looking out my window while I am watching television or relaxing in my recliner. Since the Department of Revenue will provide two placards for use, I believe one of the placards are being used in the vehicle that the younger woman is driving and the same number placard is being used to park a car in the handicapped parking spot on the corner of Windingpath Lane and WildWalnut in Manchester, MO 63021. My neighbors will confirm what I am stating here. I also no longer even drive by this house to get to Hanna Road but drive the opposite way as the person who lives in this house will say I am harassing her if I drive by her house or happen to be going to the same location as her while driving in the same direction. I believe this is retaliation against me for filing a valid code violation and reporting this handicapped sign use. I also believe the signs are also too close to the corner per the code for parking a car, I observe daily vehicles that do not stop at the Stop Sign on the corner or Wild Walnut and Windingpath. They come very close to the vehicle parked in the spot marked with handicapped signs. I believe this is illegal because of the City of Manchester, Missouri code which states: Section 355.010 Manner of Parking.

I am also concerned that the handicapped signs were not properly approved. In my research, handicapped parking spots close to a handicapped persons home would be issued if the home did not have a garage or a driveway. However, the home on the corner of Windingpath and Wildwalnut has a garage and a driveway. The person who lives at this home has four vehicles. The driveway is used for one or two of the vehicles. The handicapped parking is located further away from the home than the driveway. Therefore, if a handicapped person was concerned about not being able to walk, one would assume that the handicapped person would park in the closest spot to the entrance of the home rather than on a side street where more steps are required to get to the front door.

I am also concerned about my personal safety. When vehicles do not stop at the Stop Sign at Wildwalnut and Windingpath, they have to swerve around any vehicle parked between the signs marked handicapped on the corner of Wildwalnut and Windingpath. This causes for vehicles to come very close to my property at 827 Windingpath Lane. If I am in my front yard close to the street, I have to quickly move to the grass on the other side of the sidewalk for fear of getting hit. I have also had the speed limit sign knocked

over, my mailbox knocked over, and a Sweet Gumball Tree that most all properties on Windingpath have. I use my garage so my car does not get hit.

And, there is never anywhere to park. The vehicles that are parked in front of the handicapped signs rotate about every two weeks. This also is against Manchester Code since a vehicle needs to be moved every 24 hours as stated in my previous email. It appears to me the person parking there has four vehicles that they rotate periodically in that space, never allowing anyone else to park in the handicapped spot or the spot in front of it.

I rarely park my vehicle in front of my house because when I do, I have to put fluorescent orange cones around my car for people to see there is a car there. The cones have been smashed by vehicles running over them, and vehicles knocking them down. It is not even feasible to park across the street from my house as vehicles coming up the road cannot see the vehicle and there are so many cars parked there that there is barely enough room (less than ten feet) of space for vehicles to utilize the street appropriately in accordance with Manchester Code as follows: Section 355.020 Parking Not To Obstruct Traffic.

I also do not understand why the surrounding streets to Windingpath Lane next to Hanna Road and Sulfur Springs have no parking on one side of the street. Windingpath is less than 30 feet wide and therefore should have no parking signs for one side of the street in accordance with the code Section 355.060 Parking Prohibited On Narrow Streets.

And lastly, Manchester Section 320.110 Increased Safety Area. [Ord. No. 18-2242, 12-3-2018] states:

I am also concerned that Hanna Road near Parkway South High School and Hanna Elementary School is not considered an increased safety area when smaller less traveled streets with new large homes being built are considered Increased Safety Areas with Double Fines in accordance with Section 320.110 Increased Safety Area. Either Connie or Joyce Ann are considered double fine areas when they do not have near the traffic and are not a through fare for school traffic (Windingpath is a throughfare for this traffic). Hanna Road has much more traffic than either Joyce Ann or Connie Road but do not have brand new expensive houses built on the street. I respectfully ask that you would please look into this further as I believe these are code violations and safety hazards. Thank you. Shauna McCuaig, Manchester, Missouri Resident 827 Windingpath Lane Manchester, MO 63021

He also read:

Hello! I would like to write and show my support of others having chickens in Manchester. We recently moved here from unincorporated STL County (off burgundy, a few blocks away from Manchester City limits) and several neighbors had them and we were not

bothered by them whatsoever. Was surprised to hear it has been a contentious issue and I hope you will consider allowing them for those who want them!

Kerry Colombo, Manchester Resident, 332 Jamboree 63021

Ms. Heather Nason, 902 Doverfalls, stated that she submitted a letter also about the handicap signs. She used to live at 829 Windingpath and she believes those women are inappropriately using a handicap spot.

6. REPORTS FROM THE MAYOR

a. Mayor Proclamation – Women’s Equality Day

Mayor Mike Clement presented a Proclamation for Women’s Equality Day.

b. Mayoral Reports

Mayor Clement stated he wanted to read a note about the public hearing about tobacco and vaping from Ken McManus, Director for the Alliance for Healthy Communities, he said that when he read through the two Bills that are to be given a first reading this evening, well done! Thank you to the entire City Council and team on following through with substantive action on behalf of kids. I am sorry that I cannot be available this evening but please let me know how I can assist you later. Mayor Clement stated he was an advocate for the issues that we are dealing with tonight. He said that Parkway Schools will also support Manchester in what we are doing with an appreciation.

Mayor Clement stated he heard from Director of Public Works Bob Ruck that Howard George Bridge is now open. There could possibly be one lane closed during normal work hours while some site work is still being completed.

Mayor Clement stated that Manchester’s frisbee golf is hosting a tournament this week. They have around 150 to 200 players that will be out social distancing and out competing. We may be the first course that has been granted this type of competition.

Mayor Clement stated that Peter Chow and his quartet are using the amphitheater on Friday mornings to practice music. Please stroll by and enjoy the music.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of 08-04-2020 to 08-16-2020)

There were no questions.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Hamill stated they did not meet.

b. Veterans Commission

Alderman Huether stated the leadership committee team did meet last week and they talked about moving forward and they continued to plan the POW/MIA Remembrance Day on September 18 at 10 a.m. on Facebook live.

Alderman Huether stated they do meet as an entire commission on Thursday, August 20, 2020.

c. Homecoming Committee

Alderman Ottenad stated they had a zoom meeting on August 12, and it was decided the car show should be cancelled because of the limitation of 50 people.

Alderman Ottenad stated as of now the walk/run will be held on September 12<sup>th</sup>. The 1-mile fun run will take place at 8 a.m., the 5k will start at 8:30 a.m., and the 1-mile rover run should start around 9:30 a.m.

Alderman Ottenad stated that the parade will start at 7:30 p.m. She said currently they have about 22 participants for the parade. This year's theme is when life gives you lemons.

9. ACTION ON OLD BILLS

a. BILL NO. 20-2413 – REPEAL OF CHAPTER 380 HEADGEAR – WHEN REQUIRED – MOTORCYCLES OR MOTORTRICYCLES

Alderman Nolte read the second reading of Bill #20-2413, entitled: "AN ORDINANCE AMENDING CHAPTER 380 OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER BY REPEALING SECTION 380.190 RELATING TO THE USE OF PROTECTIVE HEADGEAR BY DRIVERS AND PASSENGERS OF MOTORCYCLES OR MOTORTRICYCLES WITHIN THE CITY", by title only.

Alderman Nolte made the motion that Bill #20-2413 become Ordinance #20-2298. The motion was seconded by Alderman Hamill.

A poll of the Board showed:

Alderman Toben – aye

Alderman Baumann – aye



Alderman Ottenad – aye  
Alderman Huether – aye  
Alderman Nolte – aye  
Alderman Hamill – aye

Mayor Clement announced that the motion passed 6 – 0, with no objections from any members of the Board of Aldermen.

10. ACTION ON NEW LEGISLATION

a. BILL NO. 20-2414 – 309 FOREST PARKWAY EASEMENT DEDICATION

Alderman Nolte asked why Manchester is dedicating easements to MSD and wonders why the need for emergency legislation.

Director of Planning, Zoning, and Economic Development Melanie Rippetoe answered that Family Partners the Group Home complex on Forest Summit, has been proceeding with their plans and has it turns out they want to tie into an existing sewer that needs to be updated. It has been figured out that they cannot repair it until it is in their possession. Currently the City of Manchester owns it.

Alderman Hamill read Proposed Bill #20-2414, entitled: "AN ORDINANCE DEDICATING A CERTAIN EASEMENT IN THE CITY OF MANCHESTER, MISSOURI, REFERRED TO FOR THESE PURPOSES AS THE 309 FOREST PARKWAY EASEMENT", by title only.

Alderman Hamill stated that emergency legislation had been requested, so he made the motion for approval of emergency legislation. The motion was seconded by Alderman Nolte and carried unanimously, without objection.

Alderman Hamill read the second reading of Bill #20-2414, entitled: "AN ORDINANCE DEDICATING A CERTAIN EASEMENT IN THE CITY OF MANCHESTER, MISSOURI, REFERRED TO FOR THESE PURPOSES AS THE 309 FOREST PARKWAY EASEMENT", by title only.

Alderman Hamill made the motion that Bill #20-2414 become Ordinance #20-2299. The motion was seconded by Alderman Nolte.

A poll of the Board showed:

Alderman Ottenad – aye  
Alderman Huether – aye  
Alderman Nolte – aye  
Alderman Hamill – aye  
Alderman Toben – aye

Alderman Baumann – aye

Mayor Clement announced that the motion passed 6 – 0, with no objections from any members of the Board of Aldermen.

- b. BILL NO 20-2415 – AMENDMENT TO CHAPTER 210, ARTICLE XIII, SECTIONS 210.2100 – 210.2200

Alderman Ottenad read Proposed Bill #20-2415, entitled: "AN ORDINANCE AMENDING CHAPTER 210, ARTICLE XIII, SECTIONS 210.2100-210.2200, OF THE MUNICIPAL CODE OF THE CITY OF MANCHESTER, TO PROHIBIT THE SALE OF TOBACCO, ALTERNATIVE NICOTINE PRODUCTS, OR ELECTRONIC SMOKING DEVICES TO PERSONS LESS THAN THE AGE OF (21) TWENTY-ONE", by title only.

No further action at this time.

- c. BILL NO. 20-2416 – AMENDMENT TO CHAPTER 405 ZONING REGULATIONS – TOBACCO AND ELECTRONIC SMOKING

Alderman Huether read Proposed Bill #20-2416, entitled: "AN ORDINANCE APPROVING AMENDMENTS TO THE ZONING CODE OF ORDINANCES OF THE CITY OF MANCHESTER PERTAINING TO TOBACCO AND ELECTRONIC SMOKING REGULATIONS", by title only.

No further action at this time.

- d. RESOLUTION NO. 20-0766 – APPROVAL OF MASTER PLAN PROPOSAL FROM SWT DESIGN FOR THE MARGARET STOECKER PARK EXPANSION.

Alderman Baumann read Proposed Resolution #20-0766, entitled: "A RESOLUTION APPROVING THE SUBMISSION OF A MUNICIPAL PARK PLANNING GRANT APPLICATION FOR A GRANT-IN-AID FROM THE MUNICIPAL PARK GRANT COMMISSION OF ST. LOUIS COUNTY FOR THE MARGARET STOECKER PARK EXPANSION MASTER PLAN PROPOSAL", by title only.

Alderman Baumann made the motion for approval of Resolution #20-0766. The motion was seconded by Alderman Ottenad and carried unanimously, without any objections from any members of the Board of Aldermen.

## 11. MISCELLANEOUS

- a. Comments from the Public

There were none.

12. EXECUTIVE SESSION

- a. Pursuant to Section 610.021 (1), Section 610.021 (3), and Section 610.021 (13) of the Revised Statutes of the State of Missouri.

Alderman Hamill made the motion to go into Closed Session: Pursuant to Section 610.021 (1), Section 610.021 (3), and Section 610.021 (13) of the Revised Statutes of the State of Missouri.

The motion was seconded by Alderman Huether.

A poll of the Board:

Alderman Nolte - aye  
Alderman Hamill - aye  
Alderman Toben- aye  
Alderman Baumann - aye  
Alderman Ottenad - aye  
Alderman Huether - aye

Mayor Clement stated the vote passed 6 – 0 to go into a Closed Session, with no objections from the Board.

13. ADJOURNMENT

There being no further business, Alderman Hamill made a motion to adjourn. The motion was seconded by Alderman Nolte and carried unanimously. The meeting adjourned at 8:27 p.m.

Respectfully submitted,  
Michelle Melugin  
Deputy City Clerk

**Note:** *This is a journal of the Board of Aldermen meeting held Monday, August 17, 2020, (Summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.*